



PATENT  
0514-1105-1

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Pierre HOLZSCHUH et al.

Conf. 2245

Application No. 10/765,123

Group 1761

Filed January 28, 2004

Examiner K. Mahafkey

PROCESS FOR THE PRODUCTION OF ALIMENTARY SMOKE BY  
PYROLYSIS, THE USE OF MEANS PARTICULARLY ADAPTED TO  
SAID PROCESS, SMOKE AND SMOKED FOODSTUFFS OBTAINED

REQUEST FOR CONTINUED EXAMINATION  
UNDER 37 C.F.R. § 1.114

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

April 5, 2007

Sir:

This is a "Request for Continued Examination" under 37 C.F.R. § 1.114, the provisions of which do not apply to:

(1) A provisional application; (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) An international application filed under 35 U.S.C. §363 before June 8, 1995; (4) An application for a design patent; or (5) A patent under reexamination.

☒ This Request for Continued Examination is being filed prior to the earliest of:

(1) Payment of the issue fee, unless a petition under §1.313 is granted; (2) Abandonment of the application; or (3) The filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of civil action under 35 U.S.C. §§ 145 or 146, unless the appeal or civil action is terminated.

☐ The enclosed document is being transmitted via facsimile. 60.00 OP

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395.00 OP

☒ **Submission Required under 37 C.F.R. § 1.114:**

Enter as part of the present submission:

☒ An After Final Amendment previously filed on March 5, 2007, under 37 C.F.R. § 1.116 but unentered, in the present application.

☐ Arguments in the Appeal Brief or Reply Brief previously filed on .

☐ A Reply, attached hereto. Claim fee(s) are calculated as set forth below:

|                       | TOTAL<br>NUMBER OF<br>CLAIMS<br>PREVIOUSLY<br>FILED | TOTAL<br>NUMBER OF<br>CLAIMS<br>BEING FILED<br>HEREWITH | NUMBER<br>EXTRA | RATE     | FEE    |
|-----------------------|---|---|-----------------|----------|--------|
| Total Claims          | 16  | 16  | 0               | x\$25=   | \$0.00 |
| Independent<br>Claims | 2   | 3   | 0               | x\$100 = | \$0.00 |
| TOTAL CLAIM FEE(S)    |   |   |                 |          | \$0.00 |

☐ An Information Disclosure Statement (IDS) and PTO-1449 form(s) is/are attached hereto for the Examiner's consideration.

☐ Other:

☒ **Fees**

The required fee under 37 C.F.R. § 1.17(e) as required by 37 C.F.R. § 1.114 when the RCE is filed, is enclosed herewith:

☒ \$395.00 - small entity

☐ \$790.00 - large entity

☒ The applicant(s) hereby petition(s) for an extension of one (1) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). The fee has been calculated as shown below:

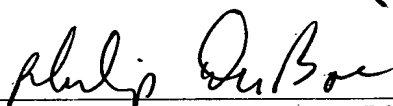
☒ NO extensions of time have been previously obtained in the prior application. Thus, a fee of \$60.00 is required for the full period of the above-requested extension of time.

- ☐ An extension of ( ) month(s) was previously requested and paid for on in the instant application. Thus, a fee of \$0.00 is required to obtain an additional ( ) month(s) extension.
- ☒ Enclosed is a check in the amount of \$455.00 for the applicable filing fee, additional claims fee, and/or extension fees.
- ☐ Please charge Deposit Account No. 25-0120 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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PD/lrs